

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

| | | |
|-----------------------------|---|-----------------------------|
| TRUSTEES OF BOSTON COLLEGE, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 4:24-cv-1523 (HEA) |
| |) | |
| URSHAN UNIVERSITY, INC., |) | |
| |) | |
| Defendant. |) | |
| |) | |

DECLARATION OF CASEY BEAUMIER

1. My name is Father Casey Beaumier, S.J. I am over the age of eighteen and am of sound mind. I am submitting this declaration in support of the Motion for Preliminary Injunction filed by the Trustees of Boston College (“Boston College”) in the above-captioned lawsuit. This declaration is made on the basis of my own personal knowledge, and I am willing to testify to the truth of the same if called to do so.

2. I am currently Vice President and the Director of the Institute for Advanced Jesuit Studies at Boston College. Due to my position, I am familiar with Boston College’s business records and operations. All documents referenced herein were produced, received, or maintained in the ordinary course of business of Boston College, by Boston College’s agents, employees, or officers.

3. Boston College is a Jesuit, Catholic University founded in 1863. It draws inspiration for its academic societal mission from its distinctive religious tradition.

4. In furtherance of its educational and religious mission, Boston College maintains collections and exhibits of archival material, art, and artifacts that reflect Jesuit and Catholic history. Boston College is currently developing a Catholic Religious Archives facility, where it

Exhibit

B

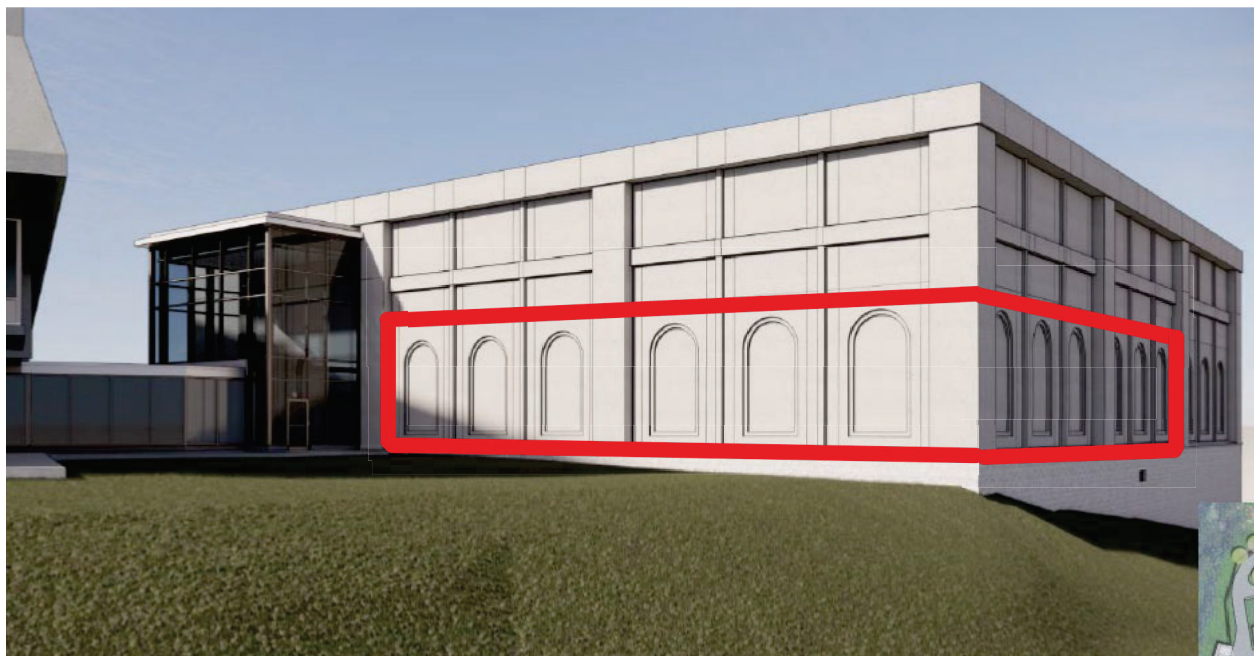
exhibitstickers.com

will both house and display archival materials related to Catholic religious orders for the purposes of historical research, education, artistic appreciation, and religious devotion.

5. Urshan University (“Urshan”), an institution of higher education in the St. Louis Area, currently owns property that used to be the location of the St. Stanislaus Seminary, a former Jesuit Seminary founded in 1823 (the “Property”).

6. In Fall 2023, I learned that that the Property was no longer in active use, and that it contained a chapel (“Chapel”) with historic stained-glass windows depicting religious iconography and events from the history of the Jesuit order (“Windows”).

7. Because I was interested in finding a new home for the Windows, I contacted Urshan about the possibility of acquiring the Windows for Boston College’s Catholic Religious Archives facility, where they will be preserved and displayed. An architectural rendering of the planned Catholic Religious Archives facility is shown below, with the proposed locations for twelve of the Windows outlined in red; the thirteenth window is slated to appear in the glass stairwell immediately to the left of the red box:



8. The Windows, which portray religiously significant moments in the history of the Society of Jesus, have significant value to Boston College in light of its connection to the Jesuit Order.

9. Between September 2023 and September 2024, Boston College and Urshan negotiated a mutual agreement for Urshan to transfer the Windows to Boston College in exchange for a \$27,000 payment to Urshan (“Agreement”). A true and correct copy of the Agreement, which was duly executed by agents of both Boston College and Urshan on September 9, 2024, is attached hereto as Exhibit B-1. From the course of negotiations, Boston College understood the Agreement to be a binding contract: it would not have agreed to the payment or to incur the costs absent Urshan’s agreement to transfer the Windows, and Urshan represented that it was interested in selling the Windows, not donating them to Boston College free of charge.

10. Boston College understands that the appraised value of the Windows substantially exceeds \$27,000. However, it negotiated that price to account for the fact that it would incur considerable expense in removing, preserving, restoring, transporting, and installing the Windows once the Agreement was signed.

11. In fact, Emil Frei & Associates quoted Boston College an estimate of \$68,200 as the cost only for the removal of the Windows from the Chapel and crate them for future storage, transport, and then restoration—i.e., the cost of merely taking possession of the Windows. A true and correct copy of this estimate is attached hereto as Exhibit B-2.

12. In light of the added expenses incurred, the risks associated with removing and transporting century-old stained glass windows, and Urshan’s apparent desire to liquidate assets at the Property as quickly as possible, Boston College was able to secure an agreement concerning the Windows for a cost that is substantially lower than their actual value.

13. In the Agreement, Urshan specifically affirmed that it had the right to transfer the Windows with clear title, free of any encumbrances, liens, or mortgages. Boston College relied on this representation in consenting to the Agreement.

14. Boston College was aware that the Windows stood at substantial risk from vandalism and from weather damage. In order to protect itself, it immediately engaged Emil Frei and Associates to begin work on preparing the Windows for removal and preservation.

15. Prior to September 26, 2024, Boston College had incurred over twenty thousand dollars of expenses or obligations to third parties in preparation for the removal of the Windows. A non-exhaustive list of these expenses includes:

- a. \$2,394.00 in legal fees incurred in preparing a contract to engage Emil Frei and Associates;
- b. \$16,249 in administrative and preparatory costs incurred for advance work done by Emil Frei and Associates between September 9 and September 26, 2024;
- c. \$4,475 in fees owed to Boston College's construction contractor incurred in preparing to travel to Missouri to take measurements of the Windows and prepare them for transportation and installation;
- d. A \$422.83, nonrefundable plane ticket for me to visit the Property in late September 2024 to oversee the preparations for removing the Windows.

16. On September 22, 2024, I received an email from Frank Buchanan, Urshan's Chief Financial Officer, purporting to "follow up" about the Agreement and expressing a "hope that [a delay in communication between Boston College and Urshan] will not prohibit or delay [the] process." A true and correct copy of this email is attached hereto as Exhibit B-3.

17. The next day, I emailed Mr. Buchanan to tell him that representatives of Boston College would “come to the [P]roperty on [September 30, 2024] in order to take measurements and work on a few other details that are needed on-site.” This email also asked Mr. Buchanan to “coordinate” with Aaron Frei, the president of Emil Frei and Associates. A true and correct copy of this email is reproduced in Exhibit B-4.

18. Three days later, on September 26, 2024, Mr. Buchanan emailed me: “It is with great regret that I inform you that Urshan University must rescind the bill of transfer and agreement for the stained glass windows. I have learned that a buyer has been found who plans to restore and preserve the school, including the windows. I sincerely apologize for this inconvenience. It’s been a pleasure to converse with you.” (See Exhibit B-4, at 1.)

19. On September 30, 2024, Dr. Bent Coltharp, the president of Urshan, stated in an email to Boston College that the buyer mentioned in Urshan’s September 26 email was a man named Steven Stogel, who hoped to restore the Property. Later that day, Urshan’s Executive Vice President, Jennie Rusell, confirmed that Mr. Stogel was a “potential buyer who wants to preserve both the stained glass windows and the old St. Stanislaus campus buildings.” True and correct copies of the email exchange containing emails received from Dr. Coltharp and Ms. Russell are attached hereto as Exhibit B-5.

20. On October 2, 2024, Dr. Coltharp provided Boston College with additional information via email about Mr. Stogel and his company, AJE Capital, LLC. Dr. Coltharp represented in a letter attached to this email that Mr. Stogel desired to obtain historic preservation tax credits to develop the Property, and reported that the Windows had to be retained “AS IS, WHERE IS” in order for him to obtain those tax credits. A true and correct copy of this email and its attachments are attached hereto as Exhibit B-6.

21. Boston College remains ready and willing to perform the Agreement, but Urshan has refused to abide by its terms.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on: December 17, 2024

Casey C Beaumier SJ

Fr. Casey Beaumier, SJ
Vice President,
Boston College

September 9, 2024

Via email: fbuchanan@urshan.edu

Frank Buchanan, II
Chief Financial Officer
Urshan University
155 Urshan Way
Wentzville, MO 63385

Re: Gift of Saint Stanislaus Chapel windows

Dear Frank:

We are very grateful that Urshan University ("Urshan") agrees to make a gift to Boston College of certain windows that are part of the former Saint Stanislaus Chapel, located at Urshan's property at 700 Howdershell Road, Florissant MO 63031 (the "Chapel").

This letter, when signed below by you in the space provided below, will constitute our understanding concerning this gift.

Boston College, at its expense, will engage Emil Frei and Associates Company of St. Louis, Missouri ("Frei") to remove the 12 large arched stained-glass windows located in the nave of the Chapel and the large rose stained-glass window located in the choir loft of the Chapel (collectively, the "Windows") and to cover any resulting openings in a manner that will protect the interior of the Chapel from the elements.

The Florissant property, including the Chapel, is no longer in use or occupied by Urshan. Urshan represents that it owns all right, title and interest in the Chapel, free and clear of liens, mortgages, or claims, and has full power and authority to make this gift and transfer ownership of the windows to Boston College. In the event that Urshan receives an offer to buy the 700 Howdershell Road property prior to the removal of the Windows, Urshan agrees to exclude the Windows from the sale and allow for their removal before the sale is closed.

EXHIBIT

B-1

Boston College shall take title to the windows upon taking possession of them and at such time, Urshan will execute the attached Bill of Transfer to Boston College. In consideration for this transfer and gift, Boston College will make a donation to Urshan in the amount of \$27,000, to be paid to Urshan upon Boston College's receipt of the Bill of Transfer.

Urshan agrees to cooperate with Boston College and Frei in connection with the removal of the windows and agrees to take reasonable steps to facilitate Boston College's acquisition of the windows. This includes, without limitation, providing Boston College and Frei reasonable access to the Chapel prior to the removal and for the purpose of the removal, procuring any necessary permits and, in cooperation with Boston College, complying with any applicable laws, ordinances, and restrictions that may be associated with the removal of the windows.

Specifically, Boston College understands from Frei that the removal of the Windows will require approximately a month and will likely take place in October, and Urshan acknowledges that Frei will need to access the property as soon as possible to take measurements of the Windows. Urshan agrees to facilitate Frei's access to permit Frei to conduct the measurements and undertake the removal process.

Sincerely,

Trustees of Boston College

By: Casey C Beaumier SJ

Name: Casey Beaumier, S.J.

Title: Vice President and University Secretary

Accepted and Agreed:

Urshan University, Inc.

By: [Signature]

Name: Frank Buchanan, II

Title: Chief Financial Officer

cc: Aaron Frei, Emil Frei & Associates

BILL OF TRANSFER

This instrument is executed and delivered as of the 9th day of September, 2024, by **Urshan University, Inc. ("Donor")**, a Missouri institution of higher learning, with an address of 155 Urshan Way Wentzville, MO 63385 to **Trustees of Boston College (the "Donee")**, having an address of 140 Commonwealth Avenue, Chestnut Hill, MA 02467.

1. **Grant of Assets.** With the intention of making a gift, Donor does hereby grant, transfer, set over and convey to Donee all right, title and interest in and to the following (the "Assets"):

All of Donor's right, title and interest in and to certain windows that are part of the former St. Stanislaus Chapel located on Urshan's property located at 700 Howdershell Road, Florissant Missouri 63031, consisting of the 12 large arched stained glass windows originally located in the nave of this Chapel and the large rose stained-glass window originally located in the choir loft of the Chapel.

Disclaimer. The Assets are transferred by Donor and accepted by Donee AS IS, WHERE IS, AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES OF WHATSOEVER NATURE, EXPRESS OR IMPLIED, IT BEING THE INTENTION OF DONOR AND DONEE EXPRESSLY TO NEGATE AND EXCLUDE ALL DONOR WARRANTIES, INCLUDING WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR ANY PARTICULAR PURPOSE, WARRANTIES CREATED BY ANY AFFIRMATION OF FACT OR PROMISE OR BY ANY DESCRIPTION OF THE PROPERTY CONVEYED HEREUNDER BY DONOR, AND ALL OTHER REPRESENTATIONS AND WARRANTIES WHATSOEVER CONTAINED IN OR CREATED BY THE UNIFORM COMMERCIAL CODE OF THE STATE OR STATES WHERE THE REAL PROPERTY IS LOCATED.

3. **Further Assurances.** Donor hereby agrees that it will at any time and from time to time hereafter, upon request of Donee, execute, acknowledge and deliver all such instruments and documents, and do such further things as Donee may reasonably request to perfect the transfer and delivery of any and all of the Assets referenced in this Bill of Transfer and the title thereto.

IN WITNESS WHEREOF, the undersigned has caused this Bill of Transfer to be executed as of the date written above.

Urshan University, Inc.

By: 

Frank Buchanan, II
Chief Financial Officer



EMIL FREI & ASSOCIATES, INC. • ARTISTS & CRAFTSMEN
1017 WEST ADAMS • ST. LOUIS, MO 63122 • 314/822-1091

November 25, 2024

Nora Field
Re: St. Stanislaus Stained Glass Windows
14 Mayflower Rd
Chestnut Hill, MA 02467

PROJECTED BUDGETS FOR REMOVAL AND CRATING OF WINDOWS

STAINED GLASS REMOVAL

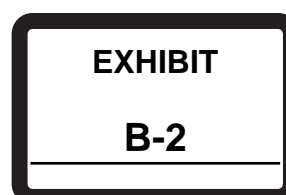
The windows in the building of the chapel have two layers, housed in a steel framing system containing two separate grooves. The outer groove layer accommodates an annealed diffusion glass layer. Its purpose was to protect the stained glass and, as such, is the architectural skin of the building. This means that no demolition permit is required as the building envelope would remain in tact. The inner groove simply allots a channel for the stained glass to be installed.

The stained glass was installed into the steel groove frame using oil based putties. In order for the stained glass panels to be removed, the putties will have to be chiseled away. Unfortunately, there is no quick alternative to this step without a greater risk to damaging the artwork. There are 18 panels per window.

For the twelve nave windows and the Oculus (Choir Loft) window, we anticipate a budget of \$52,000. This assumes a three man crew removing one window in a 1.5 days.

ARCHIVAL, DOCUMENTATION AND LABELING

In order to assure a reliable ordering system, we apply labels to each and every panel. There is also diligent note-taking upon the conditions of the window (already executed). For this measure, we anticipate a budget of \$4,500.



WWW.EMILFREI.COM

CRATING

Whenever valuable windows are removed from a location, measures are taken to protect them in a secure state for transportation from the worksite to the Studio, and from the Studio to the installation site. We create crates out of plywood and two by fours, with polystyrene between each section of glass in the crate. For time and material, crates are estimated at \$300 per crate. Per my calculations, we will need 39 crates for the 12 nave windows. This amounts to \$11,700.

STORAGE

All windows will be stored in a climate controlled atmosphere in a rental unit nearby to our Studio. The monthly cost for storage for this volume of windows is \$400 per month.

FUTURE SECURITY OF WINDOWS

The acquisition of the stained glass windows by Boston College from Urshan were made with the understanding that they would be in a like state upon their removal. During the interim of my last two visits to the site, considerable damage had been done to the lower nave and apse windows from clear acts of vandalism. There was also the great concern of structural viability to the space. While we were taking notes and observations on the windows, there was water consistently dripping down from the roof above from a rain two days prior. Given the lack of security to the site, the compromised structural integrity of the space, and the rate of damage to the stained glass, *I would strongly consider the expedient removal of the windows an absolute need*. If we delay even a month more, I fear that the repair costs for future damage may greatly alter the landscape of Boston College's initial expectations.

Sincerely,

EMIL FREI & ASSOCIATES, INC.

Aaron Frei

President

From: Casey Beaumier <beaumier@bc.edu>
Sent: Monday, September 23, 2024 9 52 AM
To: Frank Buchanan <fbuchanan@urshan.edu>
Cc: Aaron Frei aaronf@emilfrei.com ; Daniel Bourque daniel.bourque@bc.edu ; Michael Lochhead <lochhead@bc.edu>; Nora Field <nora.field@bc.edu>; Mary Nardone <mary.nardone@bc.edu>
Subject: Re Documents

Dear Frank,

Good morning from Boston I'm sorry for the quiet on our end we have been working on details on coming to Saint Louis and those details are now in place. We will come to the property on Monday (a week from today) in order to take measurements and work on a few other details that are needed on site Can we coordinate with you and Aaron on getting into the chapel space?

So, things are moving along and I'm glad for this follow up from you. Let me know if there are other items for us to discuss before arriving on Monday

Yours,

Casey

On Sun, Sep 22, 2024 at 3 37 PM Frank Buchanan fbuchanan@urshan.edu wrote

Casey C. Beaumier,

We wanted to follow up regarding the gift from Boston College to Urshan University. It has been almost two weeks since our last conversation and we are concerned. It is our hope that this delay will not prohibit or delay our process.

Thanks,

EXHIBIT

B-3

exhibitstick.com

FRANK BUCHANAN II, CPA, M.A.

Chief Financial Officer

Office: [314-838-8858](tel:314-838-8858) | Cell: [417-540-3222](tel:417-540-3222)

155 Urshan Way, Wentzville, MO 63385

www.urshan.edu

In missionary work, as in all else, preparation precedes power.

On Mon, Sep 9, 2024 at 7:03 PM Casey Beaumier <beaumier@bc.edu> wrote:

Dear Frank, Dear Nora,

Here is a copy of the signed agreements between Urshan and Boston College

I am grateful to Frank for helping us close this important matter

Aaron, let's be in touch to begin setting the dates for beginning the removal process

Frank, we will be in touch about details for the gift from us to Urshan

Gratefully,

CB

On Mon, Sep 9, 2024 at 5 19 PM Frank Buchanan fbuchanan@urshan.edu wrote

Casey,

I have attached signed documents.

Thanks,

FRANK BUCHANAN II, CPA, M.A.

Chief Financial Officer

Office: [314-838-8858](tel:314-838-8858) | Cell: [417-540-3222](tel:417-540-3222)

155 Urshan Way, Wentzville, MO 63385

www.urshan.edu

In missionary work, as in all else, preparation precedes power.

--

Casey C. Beaumier, S.J.

Vice President and University Secretary
Director Institute for Advanced Jesuit Studies

beaumier@bc.edu | 617 552 2568 | 617 552 3636

Institute for Advanced Jesuit Studies

Boston College | bc.edu/iajs | jesuitsources.bc.edu

Casey C. Beaumier, S.J.

Vice President and University Secretary
Director Institute for Advanced Jesuit Studies

beaumier@bc.edu | 617 552 2568 | 617 552 3636

Institute for Advanced Jesuit Studies

Boston College | bc.edu/iajs | jesuitsources.bc.edu

From: Frank Buchanan <fbuchanan@urshan.edu>
Sent: Thursday, September 26, 2024 7:16 PM
To: Casey Beaumier <beaumier@bc.edu>
Cc: Aaron Frei <aaronf@emilfrei.com>; Daniel Bourque <daniel.bourque@bc.edu>; Michael Lochhead <lochhead@bc.edu>; Nora Field <nora.field@bc.edu>; Mary Nardone <mary.nardone@bc.edu>
Subject: Re: Documents

Casey, et al.

It is with great regret that I inform you that Urshan University must rescind the bill of transfer and agreement for the stained glass windows. I have learned that a buyer has been found who plans to restore and preserve the school, including the windows. I sincerely apologize for this inconvenience. It's been a pleasure to converse with you.

Best Regards,

On Sep 23, 2024, at 8:52 AM, Casey Beaumier <beaumier@bc.edu> wrote:

Dear Frank,

Good morning from Boston. I'm sorry for the quiet on our end--we have been working on details on coming to Saint Louis and those details are now in place. We will come to the property on Monday (a week from today) in order to take measurements and work on a few other details that are needed on site. Can we coordinate with you and Aaron on getting into the chapel space?

So, things are moving along and I'm glad for this follow up from you. Let me know if there are other items for us to discuss before arriving on Monday.

EXHIBIT

B-4

Yours,

Casey

On Sun, Sep 22, 2024 at 3 37 PM Frank Buchanan fbuchanan@urshan.edu wrote

Casey C. Beaumier,

We wanted to follow up regarding the gift from Boston College to Urshan University. It has been almost two weeks since our last conversation and we are concerned. It is our hope that this delay will not prohibit or delay our process.

Thanks,

FRANK BUCHANAN II, CPA, M.A.

Chief Financial Officer

Office: [314-838-8858](tel:314-838-8858) | Cell: [417-540-3222](tel:417-540-3222)

155 Urshan Way, Wentzville, MO 63385

www.urshan.edu

In missionary work, as in all else, preparation precedes power.

On Mon, Sep 9, 2024 at 7 03 PM Casey Beaumier beaumier@bc.edu wrote

Dear Frank, Dear Nora,

Here is a copy of the signed agreements between Urshan and Boston College.

I am grateful to Frank for helping us close this important matter.

Aaron, let's be in touch to begin setting the dates for beginning the removal process.

Frank, we will be in touch about details for the gift from us to Urshan.

Gratefully,

CB

On Mon, Sep 9, 2024 at 5:19 PM Frank Buchanan <fbuchanan@urshan.edu> wrote:

Casey,

I have attached signed documents.

Thanks,

FRANK BUCHANAN II, CPA, M.A.

Chief Financial Officer

Office: [314-838-8858](tel:314-838-8858) | Cell: [417-540-3222](tel:417-540-3222)

155 Urshan Way, Wentzville, MO 63385

www.urshan.edu

In missionary work, as in all else, preparation precedes power.

--

Casey C. Beaumier, S.J.

Vice President and University Secretary

Director Institute for Advanced Jesuit Studies

beaumier@bc.edu | 617 552 2568 | 617 552 3636

Institute for Advanced Jesuit Studies

Boston College | bc.edu/iajs | jesuitsources.bc.edu

--

Casey C. Beaumier, S.J.

Vice President and University Secretary

Director Institute for Advanced Jesuit Studies

beaumier@bc.edu | 617 552 2568 | 617 552 3636

Institute for Advanced Jesuit Studies

Boston College | bc.edu/iajs | jesuitsources.bc.edu

From: Jennie Russell <jrussell@urshan.edu>
Sent: Monday, September 30, 2024 7:12 PM
To: Brent Coltharp <bcoltharp@urshan.edu>
Cc: nora.field@bc.edu; william.leahy@bc.edu
Subject: Re: St. Stanislaus Stained Windows

Nora:

Good afternoon! My name is Jennie Russell. I serve as the Executive Vice President here at Urshan University. Dr. Coltharp added me to this email and had some questions regarding our potential buyer who wants to preserve both the stained glass windows and the old St. Stanislaus campus buildings. I wanted to try and provide additional information on his experience and credibility for this project of preserving and restoring historical buildings.

Stephen Stogel, of DFC Inc Group, is someone you may have heard as he has been involved in over 87 projects. He and another partner were the ones involved in the "Old Post Office St Louis" and brought that project through. This is now home to Webster University and other businesses. Mr. Stogel and his group have a reputation for bringing together financing from both state and federal funds to make these kinds of projects happen and have already been talking with federal funding. Here is a link to the Old Post Office St Louis restoration - [St Louis The Old Post Office Movie \(youtube.com\)](#) which aired on PBS.

As we were waiting to hear from you today, Mr. Stogel asked us to communicate that he would be willing to help pay for your team's cost today.

We wanted to give a brief introduction to Stephen Stogel before the conference call. He can do either a Zoom call or a conference call from Paris. He is passionate to preserve this campus and also the stained glass windows.

We look forward to coordinating this call as you have requested and will wait to hear on times available for you on Tuesday. Mr. Stogel is flexible and ready to talk.

Sincerely,

EXHIBIT

B-5

exhibitsticker.com

JENNIE RUSSELL

Executive Vice President

Office: [314-838-8858](tel:314-838-8858) | Cell: [662-891-8286](tel:662-891-8286)

155 Urshan Way, Wentzville, MO 63385

www.urshan.edu

On Mon, Sep 30, 2024 at 12:30 PM Brent Coltharp <bcoltharp@urshan.edu> wrote:

Nora,

Good morning.

I'm following up on our conversation from earlier this morning. We have reached out to the individual who would like to preserve the former Saint Stanislaus Campus. Steve Stogel is currently in France. He has expressed confidence that he can restore this campus and is willing to speak with you per your request. In addition, he has expressed a willingness to put in the letter of intent that if it is unable to restore the campus, you would receive the windows afterwards.

I know that time is of the essence, do you have time today to speak with Steve Stogel? France is seven hours ahead of us, so it is currently 7:25 PM in France.

Currently, I am in meetings in the State of California at our denominations annual general conference. I'm including Urshan Universities EVP Jennie Russell (662.891.8286) who is also able to work to coordinate this call.

We look forward to hearing from you.

Blessings,

BRENT COLTHARP, DSL

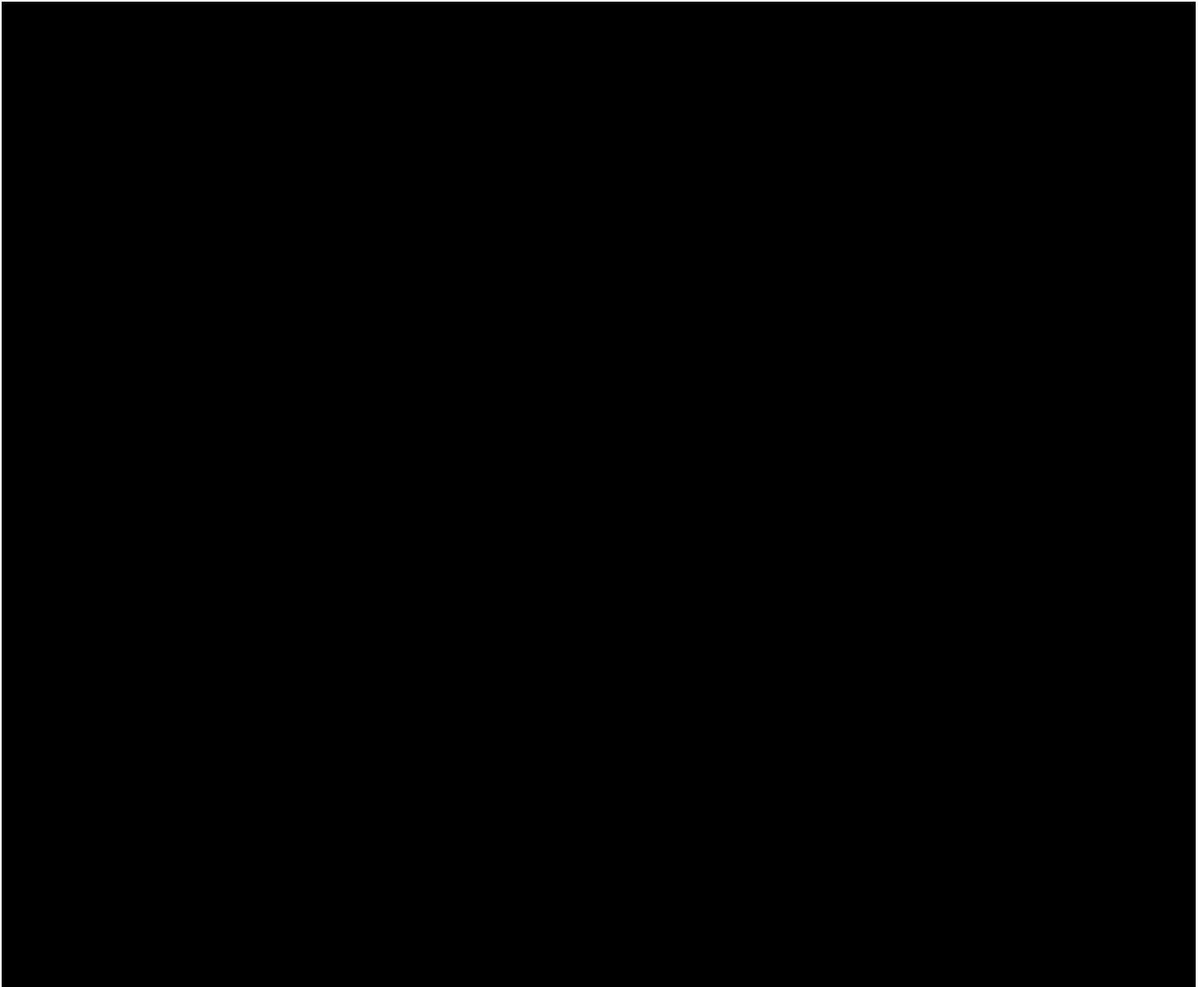
President

Office: [314-838-8858](tel:314-838-8858) | Cell: [630-740-5067](tel:630-740-5067)

155 Urshan Way, Wentzville, MO 63385

www.urshan.edu

Do Justly. Love Mercy. Walk Humbly. #Micah 6:8



From: Brent Coltharp <bcoltharp@urshan.edu>
Sent: Wednesday, October 2, 2024 8 02 PM
To: Nora Field <nora.field@bc.edu>
Cc: william.leahy@bc.edu; Jennie Russell jrussell@urshan.edu
Subject: RE: St. Stanislaus Stained Windows

President Leahy and General Counsel Nora Field,

Good evening. It has been requested that I make the following request.

Blessings,

BRENT COLTHARP, DSL

President

EXHIBIT

B-6

exhibiticker.com

Office: [314-838-8858](tel:314-838-8858) | Cell: [630-740-5067](tel:630-740-5067)

155 Urshan Way, Wentzville, MO 63385

www.urshan.edu

Do Justly. Love Mercy. Walk Humbly. #Micah 6:8

On Oct 1, 2024 at 11:29 AM -0500, Nora Field <nora.field@bc.edu>, wrote:

Dear Brent,

To clarify, I asked for information about the proposed buyer so Boston College could understand more about Urshan's request to renege its agreement; I do not wish to speak with the proposed buyer.

Regards,

Nora E. Field
General Counsel
Boston College Office of the General Counsel
14 Mayflower Road
Chestnut Hill, MA 02467
Tel 617 552 4473
Fax: 617-552-0961

This message is intended only for the designated recipient(s). It may contain confidential or proprietary information and may be subject to the attorney-client privilege or other confidentiality protections. If you are not the designated recipient, you may not review, copy, or distribute this message. If you received this message in error, please notify the sender by reply email and delete this message. Thank you.

From: Brent Coltharp <bcoltharp@urshan.edu>

Sent: Tuesday, October 1, 2024 12 11 PM

To: Nora Field <nora.field@bc.edu>

Cc: william.leahy@bc.edu; Jennie Russell jrussell@urshan.edu

Subject: RE: St. Stanislaus Stained Windows

Dear Nora,

Good morning and thank you for your response.

Yesterday, when we spoke over the phone, you expressed skepticism that there was an organization that could preserve the historic St. Stanislaus Campus. Per your request, we have provided you the information on Stephen Stogel and his organization and their proven track record. He has also agreed to speak with you and President Leahy per your request to address your questions.

Am I to take it that you are no longer willing to speak with him? I want to make sure I am representing BC correctly when I follow up with our Urshan Executive Committee.

Blessings,

BRENT COLTHARP, DSL

President

Office: [314-838-8858](tel:314-838-8858) | Cell: [630-740-5067](tel:630-740-5067)

155 Urshan Way, Wentzville, MO 63385

www.urshan.edu

Do Justly. Love Mercy. Walk Humbly. #Micah 6:8

On Oct 1, 2024 at 8:42 AM -0500, Nora Field <nora.field@bc.edu>, wrote:

Dear Brent,

I am writing to let you know that Boston College intends to enforce the agreement.

The University finds it unlikely that funds to renovate and preserve the former St. Stanislaus Campus buildings will be available, particularly in the time-frame needed to preserve the stained glass

windows, which I understand to be at imminent risk. Regardless, the agreement, as I've noted before, specifically addresses a possible sale of the property and the exclusion of the windows from such a sale.

Regards,

Nora E. Field
General Counsel
Boston College Office of the General Counsel
14 Mayflower Road
Chestnut Hill, MA 02467
Tel 617 552 4473
Fax: 617-552-0961

This message is intended only for the designated recipient(s). It may contain confidential or proprietary information and may be subject to the attorney-client privilege or other confidentiality protections. If you are not the designated recipient, you may not review, copy, or distribute this message. If you received this message in error, please notify the sender by reply email and delete this message. Thank you.

From: Brent Coltharp <bcoltharp@urshan.edu>
Sent: Monday, September 30, 2024 1 30 PM
To: nora.field@BC.edu
Cc: william.leahy@bc.edu; Jennie Russell jrussell@urshan.edu
Subject: St. Stanislaus Stained Windows

Nora,

Good morning.

I'm following up on our conversation from earlier this morning. We have reached out to the individual who would like to preserve the former Saint Stanislaus Campus Steve Stogel is currently in France. He has expressed confidence that he can restore this campus and is willing to speak with you per your request. In addition, he has expressed a willingness to put in the letter of intent that if is unable to restore the campus, you would receive the windows afterwards.

I know that time is of the essence, do you have time today to speak with Steve Stogel?

France is seven hours ahead of us, so it is currently 7:25 PM in France.

Currently, I am in meetings in the State of California at our denominations annual general conference I'm including Urshan Universities EVP Jennie Russell (662.891.8286), who is also able to work to coordinate this call.

We look forward to hearing from you.

Blessings,

BRENT COLTHARP, DSL

President

Office: [314-838-8858](tel:314-838-8858) | Cell: [630-740-5067](tel:630-740-5067)

155 Urshan Way, Wentzville, MO 63385

www.urshan.edu

Do Justly. Love Mercy. Walk Humbly. #Micah 6:8



URSHAN UNIVERSITY & URSHAN GRADUATE SCHOOL OF THEOLOGY

Since September 9, 2024, as you now know, an experienced St. Louis based historic building redeveloper - Steven Stogel- has emerged and has already proffered a letter of interest. Steven's resume is attached, and his experience with a National Historic Landmark can be demonstrated at <https://www.youtube.com/watch?v=E38cmkJWnJc>. This is submitted to you as Boston College has declined at this time to speak with Steven.

Steven, through his architects, has already checked with the Missouri Historic Preservation Office and the National Park Service that qualify buildings to be, not just 'historic', but to be eligible to earn tax credits that are easily monetized to pay for about 40% of the renovation cost. Simply stated, those credits make the financing feasible. That said, these governmental agencies have reported that the 12 stained glass windows must be retained AS IS, WHERE IS, and preserved and protected. The removal of these windows will simply cause these credits to be unavailable, so simply put, no windows, no financing.

So, we would implore Boston College to allow Urshan to engage with Steven's company to preserve not just the windows, but the campus. Steven intends to build affordable rental apartments, with an emphasis on seniors.

This will take some time to put together, we would expect to sign a purchase and sale contract before year end. We ask for your patience and assistance here.

Also, note the Chapel Building, like in fact all the buildings, is sadly vandalized with substantial debris and a quagmire of scattered glass everywhere. There is no safe means of access or use at the moment. So, just for that reason, it is impossible to let any workman from Emil Frei's company into the Chapel building. We could send pictures if requested. We also need to check on insurance coverages now carried by us, as well as the coverage carried by the Frei company.

That said, one of Steven's first tasks is to get a clean-up crew on site to assess and cost up this needed safety step, as well as add security to the building and protect these 12 stained glass windows.

We understand that you and the Frei company have incurred costs, and we will equitably step up to cover those costs.

Finally, if by year's end a purchase agreement is not signed, Urshan would sadly have to proceed to demolish the campus. Boston College could then come, and for \$1.00, take away the 12 windows. We will also, at our cost, clean up the Chapel to make that 'take away' safe for the workers.

We hope this revised path can be our reset and settlement here.

Sincerely,

Brent L. Coltharp

**RESUME OF
STEVEN STOGEL
11/21/2022**

Over the last 49 years, Steven Stogel has been a practicing real estate and tax lawyer in St. Louis Missouri (1973 – 1981), a co-owner of McCormack Baron & Associates (1981 – 1990) specializing in tax matters and in urban low-income and market rate residential and a few commercial projects, and a principal in DFC Group (1990 – present) engaged in development of real estate and consulting with for-profit and non-profit clients on a wide range of real estate developments. Steven’s primary focus has been on the development, financial, legal, political, and tax foundations of these projects. See Exhibit 1 for references and Exhibits 2 and 3 for a list of projects.

The projects that have been owned and developed include:

1. The US Custom House and Post Office Building in St. Louis, Missouri (www.oldpostofficestl.com), a video on the Old Post Office can be viewed at <https://www.youtube.com/watch?v=E38cmkJWnJc>, the second National Historic Landmark to ever be transferred by the General Services Administration to another party, being the state of Missouri, then leased on a 99-year basis for our restoration of this 1872-1884 built, 242,000 gross square foot, fully leased today first class office building;
2. 24 affordable housing projects with 3,667 units in 9 states, all in urban areas involving historic restorations and some new construction;
3. 10 market rate projects with 1,978 units in 5 states in both urban and suburban areas, again involving both historic restorations and new construction;
4. 340,000 square feet of “first floor”, ancillary office/theater and program space for a non-profit use, or stand-alone market commercial space in 6 projects in urban centers in 3 states;
5. 2 large land assembly investments in 2 states, and
6. One “under par” investment in a local St. Louis golf course.

The consulting projects have included:

1. The 6-year, from design to 2012 completion, turnkey restoration at \$68,000,000 of the 200,000 SF Cass Gilbert designed 1908-1912 built St. Louis Public Library, Central Library, (www.slpl.org) which design & restoration has won numerous various local and national awards including the most prestigious 2013 National Trust for Historic Preservation Honor Award, and the 2014 AIA National Honor Award for Architecture;
2. The turnkey construction of a 16 level 1,052 car parking deck, with first floor retail, for the state of Missouri;
3. The St. Louis Civic Progress Group’s funded Technical Assistance Corporation assignments of multiple “workouts” for [x] the completion of the City’s 1917 envisioned Gateway Mall Plan’s last two blocks between Market, 7th, Pine, and 9th Streets; [y] the ground assembly and clearance to the Pulitzer Museum in Grand Center; and [z] the “workouts” of more than a dozen other developer’s “busted” projects in the City’s most distressed areas and CWE from 1991-1994;

4. Various consulting projects for the Hall Family Foundation in Kansas City from 1991-2001, including work on the Union Station City Museum and the Child Care Complex;
5. The 2008-2011 massive \$270,000,000 workout in St. Louis of the collapsed Pyramid Development Company in a non-bankruptcy unwind of 9 vacant buildings aggregating 2,000,000+ square feet, of which 7 are now redeveloped, at a cost of over \$350,000,000 and the 9th building sold off, and the disposition of 11 affordable housing projects, 3 of which needed construction finished, with 1,100+ units;
6. Various consulting assignments SunAmerica Affordable Housing Partners (now AIG), including from 2015-present, a strategic partnership to invest in historic properties involving state tax credits spread over 11 projects in 6 states, with a total investment over \$150 M;
7. Being an owner representative to AIG on its historic restoration of an 180,000 square foot vacant warehouse in New Orleans' French Quarter into 87 upscale units and 200 parking spaces at \$53 M budgeted conversion cost; and
8. Being the designated turnkey developer for two separate LA private schools for a 60,000 square foot second phase K-8 school, and a 55,000 usable square foot (9th to 12th grade) high school facility.

In addition, Steven's non-profit school developments have included [x] the original Center for Contemporary Arts Building in University city, [y] the Clayton Academy School upon its relocation in 2004, and [z] the 4 acres land assembly, 250+ person relocation, and 20+ building demolition project for St. Mary's High School in South St. Louis to create athletic fields and a running track.

The other major non-profit undertaking was the non-profit, pre-opening and 8-year operating period of the City Museum which, with John Ferring, Randy Lipton, my wife Melinda, and 6 other board members, we raised donations of \$8 M [assisted by \$2 M in MDFB credits] to finish the construction and open the museum. Melinda and I contributed our time and \$250,000. We then served on the Board for 8 years, until Bob Cassilly and David Jump were approved by the IRS and State to be the qualified for-profit buyers. I am proud to say this is one of St. Louis' magical places today.

All these projects have utilized a wide variety of federal, state and local tax incentives, tax credits, TIFs, abatements, and outright grants, as these programs have existed over this time span.

Also, for the first non-St. Louis development projects of McCormack Baron, as its lawyer, then as a principal, I was involved in the first two program-related investments [PRIs] done by the Ford Foundation [in 1981 in Jersey City, NJ, and in 1982 on 103 Street in NYC. PRIs have since been a mainstay of MBA projects, such as Quality Hill in Kansas City, with multiple PRI loans from the Hall Family Foundation and other KC private foundations from 1983-1991, and on the Old Post Office with PRIs from the Danforth Foundation in 2004.

Long ago, from 1973-1981, Steven taught, as an adjunct professor, partnership tax law and real estate financing at the Washington University Law School's Graduate Tax Program.

Steven was the 2009 Co-Chair of Missouri Governor Nixon's Task Force to understand and implement the American Recovery and Reinvestment Act that stabilized the State's budget retaining the State's AAA rating.

From 2010-2012, Steven also served as Co-Chair of the Missouri Tax Credit Review Commission, which recommended an overhaul of the 61 then tax credit incentive programs.

Steven served along with 4 other board members of the Historic Tax Credit Coalition of the National Trust for Historic Preservation for HTC industry representatives from 2012-2015, of the IRS and Treasury, resetting both Rev. Proc. 2014-12 and 50(d) regulations.

From March 2018 to date, Steven has served as point for the Historic Revitalization of Missouri Coalition for its 400 members with the Missouri Department of Economic Development on SB 590 and its implementation and new regulations on the substantial revisions to the MO HTC Program.

Steven is married, with four sons and one daughter, with a primary residence in St. Louis.

Exhibit # 1 is attached, which is a list of references and our contact information.

Exhibit # 2 is attached, which is a list of all McCormack Baron projects.

Exhibit # 3 is attached, which is a list of all DFC Group, Inc. projects.